



Stillman Legal P.C.

Chela v. DKA FOOD CORP.

Case Summary for Joint Letter

- **Nature of Case:** Plaintiff Edwin Chela alleges violations of the FLSA and NYLL for unpaid overtime wages, failure to provide wage notices and wage statements, and related statutory damages.
- **Alleged Employment:** March 2024 – Feb. 28, 2025, at Shop Fair Supermarket, Brooklyn. Worked 65 hours/week. Paid \$16.50/hour in cash
- **Claims:**
 - Failure to pay overtime (FLSA & NYLL)
 - Spread-of-hours pay (NYLL)
 - Failure to provide wage notice at hire (NYLL §195(1))
 - Failure to provide accurate wage statements (NYLL §195(3))
- **Damages**
 - **Unpaid overtime:** \$9,900 (approx. \$198/week × 50 weeks)
 - **Liquidated damages:** equal amount, \$9,900
 - **Statutory damages:** Wage notice violation (\$5,000) + Wage statement violation (\$5,000)
 - **Total damages sought** (exclusive of attorneys' fees, costs, interest): ~\$29,800

Case Management Plan

A. Jury Demand

☒ Jury trial requested.

B. Non-Expert Discovery

1. **Completion Date:** 90 days from Initial Conference (target **Dec. 5, 2025**).
2. **Discovery Activities**
 - Rule 26(a)(1) disclosures – by 9/19/25

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- Plaintiff's discovery requests – served by 9/19/25; responses by 10/19/25
 - Defendants' discovery requests – served by 9/26/25; responses by 10/26/25
 - Depositions: Plaintiff + two individual defendants + corporate rep – completed by 11/30/25
 - Requests for Admission – by 11/15/25; responses by 12/5/25
3. **Joinder of Parties:** by 10/15/25
4. **Amended Pleadings:** by 10/15/25

C. Damages

- **Plaintiff's Claims:**
 - Unpaid overtime: \$9,900
 - Liquidated damages: \$9,900
 - Wage notice penalty: \$5,000
 - Wage statement penalty: \$5,000
 - Pre/post judgment interest, attorneys' fees, costs

D. Motions

- Pre-motion conference letters for dispositive motions: by **12/12/25**
- Dispositive motions filed by **1/5/26**

E. Extensions

- Any request for relief must comply with Judge Cogan's Individual Practices and show good cause

F. Settlement

- Parties open to referral to the EDNY Mediation program following initial disclosures.

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